

DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU

LRB-2468/1dn

DAK:jld:pg

May 17, 2005

To Senator Darling:

Currently, DHFS is *required*, under s. 49.45 (39) (b) 1., stats., to provide school districts, CESAs, and DPI (on behalf of the Wisconsin Center for the Blind and Visually Impaired and the Wisconsin Education Services Program for the Deaf and Hard of Hearing) only 60 percent of the federal share (FFP) of allowable MA school medical services; since FFP itself is 60 percent of the total MA payment, DHFS is required to provide only 60 percent of 60 percent of the total MA payment.

This bill repeals s. 49.45 (39) (b) 1m., stats., and part of s. 20.255 (2) (b), stats. These provisions authorized (but did not *require*) DHFS to supplement the MA school medical services payment, and required that DPI lapse to the general fund an identical amount of any supplement made. These provisions are repealed in 2005 AB-100 (the biennial budget bill); apparently, DHFS has never made such a supplement.

The bill creates s. 49.45 (39) (b) 3., which *requires* DHFS in each fiscal year to supplement the MA school medical services payment to school districts and CESAs for 100 percent of FFP after DHFS has first paid (at 60 percent FFP) \$21,660,000. The \$21,660,000 figure is 60 percent of the total FFP figure for school medical services provided by school districts and CESAs in fy 2003-04. I did not include payment to DPI on behalf of the Wisconsin Center for the Blind and Visually Impaired and the Wisconsin Education Services Program for the Deaf and Hard of Hearing in s. 49.45 (39) (b) 3., because the \$21,600,000 figure evidently only describes what was paid to school districts and CESAs. Do you want DPI to receive this additional payment? If so, I will obtain the correct total figure and redraft.

Also, after speaking to Richard Megna of DHFS, I have repealed a portion of s. 49.45 (39) (b) 1., stats., that refers to claims for common carrier transportation costs as a school medical service. According to Richard, the federal health care financing administration has not allowed these claims since 1997, so the language, which allows claims until the feds prohibit them, is somewhat misleading.

Please let me know if I may provide you with further assistance on this bill.

Debora A. Kennedy
Managing Attorney
Phone: (608) 266-0137
E-mail: debora.kennedy@legis.state.wi.us